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September 20, 2016

Honorable Jesse M. Furman
United States District Judge
United States District Court
Southern District of New York
40 Foley Square
New York, New York 10007

Re: Jane Doe v. Steven Kogut
Docket Number: 15-CV-7726 (JMF)

Dear Judge Furman:

As you know, my firm represents the defendant in the above reference matter. I am in receipt of plaintiff's letter motion dated September 19, 2016, and the your order with respect to same directing that the parties appear for a conference with Court on September 21, 2016, at 4:15 pm. I respectfully request that the conference be adjourned to September 22, 2016, at 4:15 pm or any adjourn date and time thereafter which may be convenient to the Court. I seek the adjournment because I have previously scheduled depositions in the case of Held v. Ambry Genetics Corp. 15-CV-8683 (JMF) which is presently before Your Honor. Specifically, two Memorial Sloan Kettering Cancer Institute personnel are scheduled to give testimony tomorrow: Dr. Zsofia Stadler and Kimberly Amaroso. The deposition of Dr. Stadler is to commence at 11:00 am and will conclude by 2:00 pm. Ms. Amaroso's deposition is to commence at 2:30 pm and conclude by 5 pm. My adversary and I have worked for over two months to schedule the aforementioned depositions, not to mention my preparation in advance of same. As such, the depositions can not be adjourned, and with such short notice, it would be unfair of me to ask a member of my firm to handle the depositions in my place. As you are also aware, I appeared at the last conference before the Court which is the subject of the plaintiff's letter motion. As such, I would like to respond to plaintiff's request and personally appear before the Court to address the issues raised by plaintiff's letter motion.

Accordingly, I respectfully request that the conference in the above referenced matter be adjourned to September 22, 2016, at 4:15 pm or an adjourn date and time that is convenient for the Court.

Thank you for your consideration of this matter.

Respectfully submitted,

DAVID HOROWITZ, P.C.

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CJ:em

cc: Dereck Smith Law Group, PLLC